

HOUSE BILL 767
By Jackson

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 140, Part 5, relative to ambulance service records.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-140-502, is amended by adding the following new subdivision thereto:

() "Run records" means ambulance run reports relative to a response by an ambulance service or invalid vehicle operator during which a patient is evaluated, treated or transported;

SECTION 2. Tennessee Code Annotated, Title 68, Chapter 140, Part 5, is amended by adding the following as a new section to be appropriately designated:

Section 68-140-5__.

Each ambulance service and invalid vehicle operator, licensed or permitted by the department shall maintain the following:

(1) Run records;

(A) Information required to be contained in such records shall be promulgated by the board;

(B) All information contained in run records relative to, in whole or in part, a patient's medical histories, records, reports and summaries, diagnoses, prognoses, records of treatment and medication ordered and

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given, x-ray and radiology interpretations, physical therapy charts and notes, and lab reports shall be considered “medical records”;

(C) Notwithstanding any other provision of law to the contrary, an ambulance service provider shall furnish to a patient or a patient’s authorized representative a copy of such patient’s run record(s) within five (5) business days upon request in writing by the patient or such representative; and

(D) Except as otherwise provided by law, such patient’s run record(s) shall not constitute a public record, and nothing contained in this part shall be deemed to impair any privilege of confidentiality conferred by law on patients, their personal representatives or heirs. Nothing in this subsection shall impair or abridge the right of the patient or the patient’s authorized representative to obtain copies of the patient’s hospital records in the manner provided in § 68-11-304. Nothing in this subsection shall be construed as prohibiting a patient’s run record(s) from being subpoenaed by a court of competent jurisdiction. As used in this subsection, “run record” includes any list of patients that is compiled or maintained by or for such patient’s ambulance service provider; and

(2) All other records deemed necessary and promulgated by the board.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring

it.

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